

Notice of Allowability

Application No.

09/812,716

Examiner

Lee Khuong

Applicant(s)

ASSA ET AL.

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/14/2005.
2. ☒ The allowed claim(s) is/are 3-9 and 12-24.
3. ☒ The drawings filed on 20 March 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17:2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Lilia Safonov (45,967) on May 11, 2005.

The application has been amended as follows:

- a) The abstract has been replaced with a new abstract in which the word "[Fig. 2]" has been removed.
- b) In claim 3, line 17, the words "RL" has been replaced with --RL-- and "RN" has been replaced with --RN--.
- c) In claim 12, line 20, the words "RL" has been replaced with --RL-- and "RN" has been replaced with --RN--.
- d) In claim 23, line 19, the words "RL" has been replaced with --RL-- and "RN" has been replaced with --RN--.
- e) In claim 24, line 3, limitation "steps of claim 3." has been replaced with --of scheduling traffic from a plurality of queues onto a link, at least one of the queues having an agreed bandwidth requirement and at least one of the queues having no agree bandwidth requirement, the method comprising the steps of:

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a) assigning a weight to each queue having an agreed bandwidth requirement, the weight being determined in dependence on the ratio of the queue's required bandwidth to the available link bandwidth, a queue with a low weight being scheduled for transmission before a queue with a higher weight;

b) grouping the queues having no agreed bandwidth requirement into a group, Q^* , and assigning a weight to the group; and

c) scheduling the queues for transmission on the link in dependence on their assigned weight and on a last transmission time for the respective queue, wherein if a scheduled queue has no traffic to transmit another queue is scheduled, the group Q^* being scheduled after the other queues: wherein the weight W_N , for a queue, Q_N , is calculated as:

$$W_N = (R_L / R_N) * STEP$$

where a value, STEP, is defined as the lowest assignable weight, R_L is the link bandwidth and R_N is the queue's required bandwidth.”

Allowable Subject Matter

3. Claims 3-9 and 12-24 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Regarding claims 3, 12, 23 and 24, the prior art fails to teach or suggest A Traffic Control Method And System with scheduling traffic from a plurality of queues onto a link, wherein a weight W_N , for a queue, Q_N , is calculated as:

$$W_N = (R_L / R_N) * STEP$$

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where a value, STEP, is defined as the lowest assignable weight, R_L is the link bandwidth and R_N is the queue's required bandwidth, in combination with other limitations, as specified in the independent claims 3, 12, 23 and 24.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cheesman et al. (US 6,680,933) is cited to show a Telecommunications Switches And Methods For Their Operation.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lee Khuong whose telephone number is 571-272-3157. The examiner can normally be reached on 9AM - 5PM.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lee T. Khuong
Examiner
Art Unit 2665



HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600